REMARKS

Claims 22-60 are now pending in the Application. Claims 22-53 and 55-60 have been rejected, and claim 54 was objected to, in the Office action mailed March 27, 2006. Claim 27 is cancelled, claims 22, 32, 33, 44, 52, 55 and 60 are amended, and new claims 61-72 are added in this reply. Claims 22, 32, 33, 44, 52, 55, 60-62 and 68 are independent claims. Claims 23-26 and 28-31, 34-43, 45-51, 53-54, 56-59, 63-67 and 69-72 depend, respectively, from independent claims 22, 33, 44, 52, 55, 62 and 68.

Applicants' representative expresses appreciation for the opportunity to speak with Examiner Ian Moore on August 17, 2006 regarding the teachings of the Suzuki reference cited in the instant Office action. No agreement was reached.

The Applicants respectfully request reconsideration of pending claims 22-26 and 28-60, and consideration of new claims 61-72, in view of the following remarks.

Amendments to the Claims

Claims 22, 32, 33, 44, 52, 55 and 60 have been amended to more clearly define the claimed subject matter. Applicants respectfully submit that the amendment does not add new matter.

Claim 27 has been cancelled.

Objections to Claims

Claim 54 was objected to as being dependent upon a rejected base claim, but was deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have added new independent claim 61 which recites the limitations of claim 54, base claim 52, and intervening claim 53. Applicants believe that claim 61 is allowable, and respectfully request that claim 61 be passed to issue.

Rejection of Claims

Rejections Under 35 U.S.C. §102

Claim 32 was rejected under 35 U.S.C. §102(b) as being anticipated by Suzuki et al. (US 4,453,247, hereinafter "Suzuki"). The Applicants respectfully traverse the rejection.

With regard to the anticipation rejections, MPEP 2131 states, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California,* 814 F.2d 628, 631 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP 2131 also states, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Regarding amended claim 32, the Applicants respectfully submit that Suzuki fails to teach, suggest, or disclose, for example, a method for processing voice for communication via a communication network having variable propagation delays comprising receiving digitized voice data packets; depacketizing the received digitized voice data packets; buffering the received digitized voice data for an adjustable buffer time to delay reproduction of the voice; detecting an error in the buffer time; and adjusting the buffer time in response to the detected error. More specifically, Suzuki fails to teach depacketizing received digitized voice data packets, and after depacketizing, buffering the received digitized voice data for an adjustable buffer time to delay reproduction of voice, as recited in Applicants' claim 32. Instead, Suzuki teaches buffering of speech packets in a variance absorbing buffer. (Fig. 1, element 11; col. 3, lines 8-11) Applicants respectfully submit that the speech packets of Suzuki are depacketized **after** being removed from the variance absorbing buffer. (col. 5, 16-21)

In addition, the Applicants respectfully submit that, as presented in the response filed January 17, 2006 but not acknowledged by the Office, Suzuki fails to teach detecting an error in a buffer time; and adjusting the buffer time in response to the detected error, as recited in Applicants' claim 32. Instead, Suzuki teaches that "...a variance of the transmission delay times in one talkspurt is determined to determine a capacity of the variance absorbing buffer for accommodating the variance, and the capacity of the variance absorbing buffer for the next talkspurt is dynamically updated in accordance with the determined capacity." (col. 2, lines 9-16) Applicants respectfully maintain that Suzuki simply calculates the capacity of a variance absorbing buffer that is required to provide an allowable packet loss rate, based upon a variance of the transmission delay times, and **does not** detect an error in buffer time. (col. 4, line 32 through col. 5, line 3; col. 6, lines 21-35) Suzuki does not actually determine that any error has occurred. Applicants respectfully submit that in accordance with the teachings of Suzuki, an error might occur only when an actual packet loss rate does not match the allowable packet loss rate. However, Suzuki is silent even with respect to detecting an error in the packet loss rate, or making adjustment based on such a detection. Instead, Suzuki teaches measuring variance in time of packet arrival, and using that variance to determine the size of a variance absorbing buffer. (col. 3, line 37 to col. 4, line 62; col. 5, lines 33-41) Applicants respectfully submit that Suzuki does not teach detecting an error in buffer time, and therefore also does not teach adjusting the buffer time in response to the detected error, as recited in Applicants' claim 32. If the Examiner fails to agree with the Applicants in this regard, the Applicants respectfully request that the next Office action specifically identify where Suzuki teaches detecting an error in buffer time and where Suzuki teaches adjusting the buffer time in response to the detected error.

The Applicants respectfully submit, therefore, that Suzuki fails to teach all of the elements of Applicants' claim 32, and that a rejection of claim 32 under 35 U.S.C. §102(b) cannot be maintained.

Therefore, Applicants respectfully submit that claim 32 is allowable over Suzuki, for at least the reasons set forth above, and respectfully request that the rejection of claim 32 under 35 U.S.C. §102(b), be withdrawn.

Rejections Under 35 U.S.C. §103

Claims 33, 34, 36-40 and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki, as set forth above, and further in view of Barberis et al. (US 4,317,195, hereinafter "Barberis"). The Applicants respectfully traverse the rejection. Nevertheless, Applicants have amended claim 33 in an effort to further the Application towards allowance.

The Applicants respectfully submit that the Examiner has failed to establish a case of *prima facie* obviousness for at least the reasons provided below. M.P.E.P. §2142 clearly states that "[t]he examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness." The M.P.E.P. §2142 goes on to state that "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure."

Regarding amended claim 33, the Applicants respectfully submit that the proposed combination of references, taken as a whole, fails to teach, suggest, or disclose, for example, a method for processing voice for communication via a communication network having variable propagation delays comprising receiving digitized voice data packets, each voice data packet having a group identifier; buffering received digitized voice data for an adjustable buffer time to delay the reproduction of the voice data of the first received voice packet of a group for at least the buffer time, in response to a change in the group identifier; and adjusting the buffer time. More specifically, both Suzuki and Barberis fail to teach, suggest, or disclose, at least, buffering received digitized voice data for an adjustable buffer time to delay the reproduction of the voice data of the first received voice packet of a group for at least the buffer time, in response to a change in the group identifier. The Applicants appreciate recognition by the Examiner that Suzuki fails to teach where each voice data packet has a group identifier. (Office action page 4, lines 3 and 4) In order to overcome the shortcomings of Suzuki, the Office action states that Barberis teaches for each voice data packet having a group identifier. (Office action page 4, lines 5-7) Applicants respectfully disagree.

The Applicants respectfully submit that Barberis also fails to teach or suggest, at least, buffering received digitized voice data for an adjustable buffer time to delay the reproduction of the voice data of the first received voice packet of a group for at least the buffer time, in response to a change in the group identifier, as recited in Applicants' claim 33. Instead, Barberis teaches that "[g]enerally, packets are of identical length and carry coded headings or labels containing supervisory information such as origin and destination." (emphasis added) (col. 1, lines 23-25) The Applicants respectfully submit that Barberis fails to teach that the "coded heading" comprises a group ID as recited in Applicants' claim 33. Barberis goes on to say that "[d]uring periods of coherent speech, referred to hereinafter as talkspurts, the packets follow one another in a continuous sequence at the transmitting node; because of random delays due particularly to variations in traffic density within the routing network, however, these sequences are liable to be disrupted upon arrival at the receiving end. To facilitate the restoration of their continuity at the second node, the packets of a sequence are advantageously labeled with individual identification codes such as serial numbers with the aid of a talkspurt detector at the first node which monitors the digitized voice samples to determine their continuity." (underlining added) (col. 1, lines 26-37) Applicants respectfully submit that each of the packet labels of Barberis are individually assigned to each packet of a sequence, and are therefore different from a group ID as recited in Applicants' claim 33. Barberis later confirms that "[e]ach packet can consist, for example, of 256 PCM samples corresponding to 32 msec of conversation and control data including a designation of its destination and a serial number k which increases by 1 for the consecutive packets of a sequence coding the voice signals of a talkspurt. An initial packet of such a sequence includes a label indicating in binary form the departure time t_s of such initial packet from node N_1 as read on a transmitting clock CL." (emphasis added) (col. 3, lines 47-55) It is again clear that each packet of Barberis contains a serial number, that Barberis teaches that only the initial packet of each sequence contains a label containing a departure time, and that these teachings of Barberis are also different from the group ID of Applicants' claim 33.

The Applicants, therefore, respectfully submit that the proposed combination of the Suzuki and Barberis references fails to teach every element of Applicants' claim 33, and that a rejection of claim 33 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that proposed combination of Suzuki and Barberis does not teach, suggest, or disclose Applicants' invention as set forth in amended claim 33. The Applicants believe that claim 33 as amended is allowable over the proposed combination of Suzuki and Barberis. Applicants respectfully submit that claim 33 is an independent claim, and that claims 34-43 depend either directly or indirectly from independent claim 33. Because claims 34-43 depend either directly or indirectly from claim 33, the Applicants respectfully submit that claims 34-43 are allowable over the proposed combination of Suzuki and Barberis, as well. The Applicants respectfully request, therefore, that the rejection of claims 33, 34, 36-40 and 43 under 35 U.S.C. §103(a), be withdrawn.

Claims 41 and 42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki and Barberis, as applied to claim 33, and further in view of the IBM Technical Disclosure Bulletin of April 1994 (#0018-8689-37-4A-601, hereinafter "IBM"). The Applicants respectfully traverse the rejection. Applicants respectfully submit that claim 41 and 42 are dependent claims depending from independent claim 33. Applicants believe that claim 33 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Suzuki and Barberis, as set forth above. Because claims 41 and 42 depend from independent claim 33, Applicants respectfully submit that dependent claims 41 and 42 are allowable over the proposed combination of references, as well. Therefore, Applicants respectfully request that the rejection of claims 41 and 42 under 35 U.S.C. 103(a) be withdrawn.

Claims 22-29, 44-49 and 55-58 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki and Barberis, as applied to claim 33, and further in view of Baran et al (US 4,903,261, hereinafter "Baran"). The Applicants respectfully traverse the rejection. Nevertheless, in an effort to further the Application towards allowance, Applicants have amended claims 22, 44 and 55 as set forth above.

With regard to amended claim 22, the Applicants respectfully submit that the proposed combination of references, taken as a whole, fails to teach, suggest, or disclose, for example, a method for processing voice for communication via a communication network having variable propagation delays comprising receiving digitized voice data packets; depacketizing the received digitized voice data packets; after depacketizing, buffering the received digitized voice data for an adjustable buffer time to delay reproduction of the voice; measuring a propagation delay; and adjusting the buffer time in accordance with the measured propagation delay. Applicants note that the Office action substitutes the term "transmission delay" for the term "propagation delay" as used in Applicants' claim 22. The Office action alleges that the Suzuki reference teaches "...determining a transmission delay...", and "...adjusting the buffer time in accordance with the determined transmission delay...." (Office action, page 7, lines 10-13) Applicants respectfully disagree.

As Applicants' representative discussed with Examiner Moore during a telephone call on August 17, 2006, Applicants believe that Suzuki fails to teach measuring a propagation delay, as recited in Applicants' claim 22. The following explains the difference.

Applicants respectfully submit that Suzuki defines "transmission delay time" as "...a transmission time of the packet through the packet switching network." (col. 1, lines 19-21) Applicants respectfully submit that instead of determining a "transmission delay time" or "a propagation delay", Suzuki teaches determining a variance of the transmission delay times of the speech packets in one talkspurt. (col. 2, lines 9-17; col. 3, line 8 through col. 4, line 2; col. 4, lines 31-50; col. 5, lines 36-38; col. 6, lines 21-25) To do this, Suzuki assumes that the received packets were transmitted equally spaced in time. (col. 3, lines 35-36) Suzuki admits "...it is not possible to determine t_{si} in the receiving station...." (col. 3, lines 54-55) Suzuki therefore cannot know the transmit delay time, or propagation delay. Instead of using the actual transmit time t_{si}, Suzuki employs a series of fabricated reference time points t_{rfi}. The reference time points t_{rfi} are arranged equally space in time, with a time interval equal to that of the series of assumed-to-be-equally-spaced time points, t_{si}. Suzuki uses the t_{rfi} and actual reception time points t_{ri} to calculate time periods $T_{wi'}$ that are related to the actual transmit delay time T_{wi} by the constant a. (see t_{rfi} in Fig. 2 and col. 3, line 37 through col. 4, line 2; and equation (2)) Suzuki notes the relation between the actual transmission delay time T_{wi} and the time periods $T_{wi'}$. (col. 4, lines 15-20; equation (4)) The value of the constant a is not knowable, but for the approach employed by Suzuki, that is not an issue, because the variance of a sequence of values is equal to the variance of the sequence when each value is offset by a constant. (col. 4, lines 16-31) The values of $T_{wi'}$ are then used to calculate the **variance** in the transmission delay time. (col. 3, line 62 to col. 4, line 10; equation (3)) The **variance** is then used to calculate the required number of buffered speech packets before speech reproduction starts. (col. 4, line 31 through col. 5, line 3; equation (7)). Based upon the above, Applicants respectfully submit that Suzuki fails to teach or suggest, at least, measuring a transmission delay time or propagation delay, and that the variance in the $T_{wi'}$ as calculated by Suzuki is different from and fails to teach or suggest propagation delay, as recited in Applicants' amended claim 22.

The Applicants respectfully submit that Barberis also fails to teach or suggest, at least, measuring a propagation delay. Instead, Barberis teaches a delay estimator that calculates incremental changes in delay time arising from hypothetical incremental changes in packet flow. (see Barberis et al, US 4,320,500, col. 7, lines 49-54, incorporated into Barberis by reference) Applicants respectfully submit that this is different from measuring a propagation delay, as recited in Applicants' amended claim 22.

Applicants respectfully submit that Baran also fails to teach or suggest, at least, measuring a propagation delay. Instead, Baran teaches a packet communication network and apparatus for communicating information in voice and data packets that transmits and receives voice and data in accordance with standardized frames of a standardized communication format. (Abstract) Baran also teaches that conventional packet switching uses adaptive routing which produces an occasional roundabout route with a resulting long time delay. (col. 3, 5-7) However, a roundabout route in a network is different from measuring a propagation delay, and fails to teach or suggest measuring a propagation delay, as recited in Applicants' amended claim 22.

The Applicants respectfully submit, therefore, that the proposed combination of Suzuki, Barberis and Baran fails to teach all of the elements of Applicants' amended claim 22, and that a rejection of claim 22 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that the proposed combination of references does not teach, suggest, or disclose Applicants' invention as set forth in amended claim 22. The Applicants believe that claim 22 as amended is allowable over the proposed combination of Suzuki, Barberis and Baran. Applicants respectfully submit that claim 22 is an independent claim, and that claims 23-31 depend either directly or indirectly from independent claim 22. Because claims 23-31 depend from claim 22, the Applicants respectfully submit that claims 23-31 are allowable over the proposed combination of references, as well. The Applicants respectfully request, therefore, that the rejection of claims 22-29 under 35 U.S.C. §103(a), be withdrawn.

Regarding amended claim 44, the Applicants respectfully submit that the proposed combination of references, taken as a whole, fails to teach, suggest, or disclose, for example, a method for processing voice for communication via a communication network having variable propagation times between a source and a destination comprising receiving digitized voice data packets; buffering depacketized digitized voice data for an adjustable buffer time to delay reproduction of the voice; measuring propagation times between the source and the destination; determining variations in the measured propagation times between the source and destination; and adjusting the buffer time in response to variations in propagation times. More specifically, the proposed combination of Suzuki, Barberis and Baran fails to teach, suggest, or disclose, at least, measuring propagation times between the source and the destination. Applicants respectfully submit that instead, Suzuki teaches determining a variance of the transmission delay times of the speech packets in one talkspurt, as described above with respect to claim 22. (col. 2, lines 9-17; col. 3, line 8 through col. 4, line 2; col. 4, lines 31-50; col. 5, lines 36-38; col. 6, lines 21-25) Instead, Barberis teaches a delay estimator that calculates incremental changes in delay time arising from hypothetical incremental changes in packet flow. (see Barberis et al, US 4,320,500, col. 7, lines 49-54, incorporated into Barberis by reference). Instead, Baran teaches that conventional packet switching uses adaptive routing, which produces an occasional roundabout route with a resulting long time delay, but teaches nothing about measuring or using a propagation delay. (col. 3, 5-7)

The Applicants, therefore, respectfully submit that the proposed combination of references fails to teach every element of Applicants' claim 44, and that a rejection of claim 44 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that proposed combination of references does not teach, suggest, or disclose the Applicants' invention as set forth in amended claim 44. The Applicants believe that claim 44 as amended is allowable over the proposed combination of Suzuki, Barberis and Baran. Applicants respectfully submit that claim

44 is an independent claim, and that claims 45-51 depend from independent claim 44. Because claims 45-51 depend from claim 44, the Applicants respectfully submit that claims 45-51 are allowable over the proposed combination of references, as well. The Applicants respectfully request, therefore, that the rejection of claims 44-49 under 35 U.S.C. §103(a), be withdrawn.

Regarding amended claim 55, the Applicants respectfully submit that the proposed combination of references, when taken as a whole, fails to teach, suggest, or disclose, for example, a system for processing voice for transmission over a network having variable propagation delays comprising conversion circuitry for converting an analog voice stream to digital voice data and for converting digital voice data to an analog voice stream for the reproduction of voice; a processing circuit for managing the packetization of the digital voice data to provide digital voice data packets and for managing the depacketization of digital voice data packets; a buffer for buffering digital voice data after depacketization, the processing circuit directing delivery of the buffered digital voice data to the conversion circuitry after a delay that is adjustable by the processing circuit to accommodate variations in packet propagation delays over the network; wherein the delay is based upon a period of time between the processing circuit sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. More specifically, the proposed combination of references fails to teach, suggest, or disclose, at least, wherein the delay is based upon a period of time between the processing circuit sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. Applicants respectfully submit that instead, Suzuki teaches determining a variance of the transmission delay times of the speech packets in one talkspurt. (col. 2, lines 9-17; col. 3, line 8 through col. 4, line 2; col. 4, lines 31-50; col. 5, lines 36-38; col. 6, lines 21-25). Instead, Barberis teaches a delay estimator that calculates incremental changes in delay time arising from hypothetical incremental changes in packet flow. (see Barberis et al, US 4,320,500, col. 7, lines 49-54, incorporated into Barberis by reference). Instead, Baran teaches that conventional packet switching uses adaptive routing which produces an occasional roundabout route with a resulting long time delay, but teaches nothing about measuring or using a propagation delay. (col. 3, 5-7)

The Applicants, therefore, respectfully submit that the proposed combination of references fails to teach every element of Applicants' amended claim 55, and that a rejection of claim 55 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that proposed combination of references does not teach, suggest, or disclose the Applicants' invention as set forth in amended claim 55. The Applicants believe that claim 55 as amended is allowable over the proposed combination of Suzuki, Barberis and Baran. Applicants respectfully submit that claim 55 is an independent claim, and that claims 56-59 depend from independent claim 55. Because claims 56-59 depend from claim 55, the Applicants respectfully submit that claims 56-59 are allowable over the proposed combination of references, as well. The Applicants respectfully request that the rejection of claims 55-59 under 35 U.S.C. §103(a), be withdrawn.

Claims 30 and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki and Barberis as set forth above with respect to claim 22, and further in view of the IBM Technical Disclosure Bulletin of April, 1994 (#0018-8689-37-4A-601). The Applicants respectfully traverse the rejection. Applicants respectfully submit that claims 30 and 31 depend from independent claim 22. Applicants believe that claim 22 is allowable over the proposed combination of references, in that the proposed combination of references fails to overcome the deficiencies of Suzuki and Barberis, as set forth above. Because claims 30 and 31 depend from independent claim 22, Applicants respectfully submit that dependent claims 30 and 31 are allowable over the proposed combination of references, as well. Therefore, Applicants respectfully request that the rejection of claims 30 and 31 under 35 U.S.C. 103(a) be withdrawn.

Claims 52-54, 59 and 60 were rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki in view of Barberis and Baran, and further in view of Huang (US 5,434,856). The Applicants respectfully traverse the rejection.

With regard to claim 52, Applicants respectfully submit that the proposed combination of references fails to teach, suggest, or disclose, for example, a method for processing voice for a device capable of wireless internet protocol communications over a network comprising receiving a voice stream; digitizing the voice stream to provide digital voice data; compressing the digital voice data; packetizing the digital voice data according to an internet protocol for communication over the network; transmitting via wireless communication the digital voice data packets; receiving digital voice data packets communicated over the network; converting the received digital voice data packets to a voice stream; buffering, for a buffer time, depacketized digital voice data before converting the digital voice data to a voice stream, the buffer time being adjustable to accommodate variations in propagation times over the network; and wherein the buffer time is based upon a period of time between sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. More specifically, Applicants respectfully submit that the proposed combination of references fails to teach or suggest, at least, wherein the buffer time is based upon a period of time between sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. Applicants respectfully submit that instead, Suzuki teaches determining a variance of the transmission delay times of the speech packets in one talkspurt. (col. 2, lines 9-17; col. 3, line 8 through col. 4, line 2; col. 4, lines 31-50; col. 5, lines 36-38; col. 6, lines 21-25). Instead, Barberis teaches a delay estimator that calculates incremental changes in delay time arising from hypothetical incremental changes in packet flow. (see Barberis et al, US 4,320,500, col. 7, lines 49-54, incorporated into Barberis by reference). Instead, Baran teaches that conventional packet switching uses adaptive routing which produces an occasional roundabout route with a resulting long time delay (col. 3, lines 5-7), but teaches nothing about a period of time between sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. Instead, Huang teaches a predetermined period of time, preferably 30 milliseconds, that is begun prior to storing a voice packet in a buffer, and that adds delay to the processing of the first received voice packet. (col. 3, lines 17-42) Huang teaches nothing about a period of time between sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets, as recited in Applicants' amended claim 52.

The Applicants, therefore, respectfully submit that the proposed combination of references fails to teach every element of Applicants' amended claim 52, and that a rejection of claim 52 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that proposed combination of references does not teach, suggest, or disclose the Applicants' invention as set forth in amended claim 52. The Applicants believe that claim 52 as amended is allowable over the proposed combination of Suzuki, Barberis, Baran and Huang. Applicants respectfully submit that claim 52 is an independent claim, and that claims 53 and 54 depend from independent claim 52. Because claims 53 and 54 depend from claim 52, the Applicants respectfully submit that claims 53 and 54 are allowable over the proposed combination of references, as well. The Applicants respectfully request that the rejection of claims 52-54 under 35 U.S.C. §103(a), be withdrawn.

With regard to claim 59, Applicants respectfully submit that claim 59 is a dependent claim depending from independent claim 55. Applicants believe that claim 55 is allowable over the proposed combination of references, in that Huang fails to overcome the deficiencies of Suzuki, Barberis and Baran, as set forth above. Because claim 59 depends from claim 55, Applicants respectfully submit that claim 59 is allowable over the proposed combination of references, as well. Applicants respectfully request, therefore, that the rejection of claim 59 under 35 U.S.C. §103(a) be withdrawn.

With regard to claim 60, Applicants respectfully submit that the proposed combination of references fails to teach, suggest or disclose, for example, a system for processing voice for transmission over a network having variable propagation delays comprising a transmitter and receiver for wireless communication; conversion circuitry for converting an analog voice stream to digital voice data and for converting digital voice data to an analog voice stream for the reproduction of voice; a processing circuit for managing the packetization of the digital voice data to provide digital voice data packets and for managing the depacketization of digital voice data packets, the processing circuit packetizing the digital voice data according to an internet protocol; a buffer for buffering digital voice data after depacketization, the processing circuit directing delivery of the buffered digital voice data to the conversion circuitry after a delay that is adjustable by the processing circuit to accommodate variations in packet propagation delays over the network; wherein the delay is based upon a period of time between the processing circuit sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. More specifically, the Applicants respectfully submit that the proposed combination of Suzuki, Barberis, Baran and Huang fails to teach or suggest, at least, wherein the delay is based upon a period of time between the processing circuit sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets. Applicants respectfully submit that instead, Suzuki teaches Suzuki teaches determining a variance of the transmission delay times of the speech packets in one talkspurt. (col. 2, lines 9-17; col. 3, line 8 through col. 4, line 2; col. 4, lines 31-50; col. 5, lines 36-38; col. 6, lines 21-25). Instead, Barberis teaches a delay estimator that calculates incremental changes in delay time arising from hypothetical incremental changes in packet flow. (see Barberis et al, US 4,320,500, col. 7, lines 49-54, incorporated into Barberis by reference). Instead, Baran teaches that conventional packet switching uses adaptive routing which produces an occasional roundabout route with a resulting long time delay, but teaches nothing about measuring or using a propagation delay. (col. 3, 5-7) Huang is silent with regard to a period of time between sending a test packet to the origin of received digital voice data packets, and receiving a corresponding response packet from the origin of the received digital voice data packets, as recited in Applicants' amended claim 60.

The Applicants, therefore, respectfully submit that the proposed combination of references fails to teach every element of Applicants' amended claim 60, and that a rejection of claim 60 under 35 U.S.C. §103(a) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that proposed combination of references does not teach, suggest, or disclose the Applicants' invention as set forth in amended claim 60. The Applicants believe that claim 52 as amended is allowable over the proposed combination of Suzuki, Barberis, Baran and Huang. The Applicants respectfully request that the rejection of claim 60 under 35 U.S.C. §103(a), be withdrawn.

Newly Added Claims

Applicants have added new claims 61-72. New claim 61 corresponds to claim 54 rewritten to include all of the limitations of base claim 52, and intervening claim 53. New claims 62 and 68 are independent claims, and new claims 63-67 and 69-72 are dependent claims, depending from claims 62 and 68, respectively. Claims 61-72 are similar in many ways to existing claims 22-60. Applicants respectfully submit that no new matter is added by these new claims.

Conclusion

Applicants' representative believes that all of claims 22-26 and 28-72 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Examiner is invited to telephone the undersigned at (312) 775-8000 for an interview.

A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

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Kevin E. Borg
Reg. No. 51,486

McANDREWS, HELD & MALLOY, LTD.
500 West Madison Street
Suite 3400
Chicago, Illinois 60661
Phone (312) 775-8000
Facsimile (312) 775-8100